

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-6 are presently active.

In the Office Action, Claims 1, 2, and 6 are rejected under 35 U.S.C. §103(a) as unpatentable over Walker et al (U.S. Pat. No. 6,199,014) in view of Fukushima et al (U.S. Pat. No. 4,807,157). Claim 3 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Walker et in view of Fukushima et al, and further in view of Bradshaw et al (U.S. Pat. No. 5,528,518). Claim 4 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Walker et al. Claim 5 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Walker et in view of Fukushima et al.

Independent Claim 1 defines an image pickup apparatus having location information acquiring means for acquiring current location information, image pickup means for capturing a captured image of a desired object and outputting the captured image, associating means for automatically relating the captured image to the current location information and outputting information about route relations as management data, and recording means for recording the captured image, the current location information, and the management data to a removable solid-state storage medium. As such and for example, a number of sheets along a corresponding route and the associated picture, as shown in Applicants' Figure 7, can be stored with the management data permitting information such as that shown in Applicants'

Figure 7 to be displayed, permitting a user to have access to comprehensive information along the route.¹

Walker et al disclose a navigation system for guiding one in route to a destination.² Walker et al disclose specifically that sequences of photographs (stored in an archive) are combined with driving directions to help the user recognize when he or she is on the correct route.³ As referenced in the outstanding final Office Action, Walker et al disclose a process for building the photograph database archive in which a photographer takes a photograph at a current location, marks its orientation, notes the street address, and records GPS absolute coordinates of the location being photographed.⁴ Accordingly, Applicants submit that there is no disclosure or suggestion in Walker et al for an image pickup apparatus which automatically relates the captured image to the current location information, as defined in Claim 1. Rather, as disclosed in Walker et al, the taking of the photograph, the marking of its orientation, and the recording of its GPS coordinates, and the recording of the street address, all suggest the manual, not automatic, relating of the current image to the current location.

Further, the outstanding final Office Action notes that Walker et al disclose in reference to a Japanese navigational system that:

...some Japanese systems transmit data about accidents, traffic congestion, availability of parking, road construction, and other specialized

¹Specification, page 10, line 12, to page 11, line 3.

²Walker et al, Abstract, lines 1-3, which indicate a system for providing navigational instructions along a route to be traveled.

³Id., col. 4, line 59, to col. 5, line 7.

⁴Id., col. 6, line 65, to col. 7, line 8.

data to in-vehicle navigation devices. Such a navigation system may take these data into account when planning routes.⁵ [emphasis added]

Based on this disclosure, the outstanding final Office Action asserts that it would have been obvious to *output the specialized data* as information for accessing the desirability of different routes, which according to the Office Action reads on information about route relations as management data.⁶

Applicants respectfully disagree.

As noted above, it is the navigational system that takes *into account* the specialized data when planning the routes, not the driver. Accordingly, there is no disclosure that the specialized data is output, as asserted in the outstanding Office Action. Rather, the only inference in Walker et al is that the specialized information is taken into account internally by the navigational system in its choice of route selection, and that the specialized data is not output as information to the driver. Only by impermissible hindsight would one of ordinary skill in the art be motivated to have an image pickup apparatus output the specialized data. Finally, there is no disclosure or suggestion in Walker et al for outputting the specialized data as management data (e.g., data by which output of the photographs in Walker et al can be managed).

Accordingly, it is respectfully submitted that Walker et al do not disclose or suggest an image pickup apparatus having associating means for automatically relating the captured

⁵Walker et al, column 1, lines 36-40.

⁶Office Action, page 2, lines 24-26.

Application No.09/358,520
Reply to Office Action of October 2, 2003

image to the current location information and outputting information about route relations as management data, as defined in pending Claim 1.

M.P.E.P. §2143.03 requires for *prima facie* obviousness that all claim limitations be taught or suggested. With no teaching or suggestion in the applied prior art for the defined associating means in Claim 1, it is respectfully submitted that independent Claim 1 and the claims dependent therefrom patentably define over the applied prior art.

For reasons similar to those given with regard to Claim 1, independent Claims 4 and 6, and Claim 5 which depends from Claim 4, are believed to patentably define over the applied prior art.

Application No.09/358,520
Reply to Office Action of October 2, 2003

Consequently, in light of the above discussions, the outstanding grounds for rejection are believed to have been overcome. The application is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Attorney of Record
Registration No. 25,599
Ronald A. Rudder, Ph.D.
Registration No. 45,618



22850

(703) 413-3000
Fax No.: (703) 413-2220
GJM:RAR:clh
I:\atty\RAR\amendments\203656us\rfr.wpd